

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

Centerwell Pharmacy, Inc.

| | |
|-----------------------|----------------|
| Plaintiff | Case Number |
| vs. | No. 24-cv-6924 |
| Celgene Corp., et al. | |
| Defendant | |

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

LOUISIANA HEALTH SERVICE & INDEMNITY
COMPANY D/B/A BLUE CROSS AND BLUE
SHIELD OF LOUISIANA, HMO LOUISIANA, INC.,
and DAVID MITCHELL, individually and on behalf
of all others similarly situated,

| | |
|---|------------------|
| Plaintiff | Case Number |
| vs. | 1:23-cv-07871-ER |
| CELGENE CORPORATION, BRISTOL MYERS SQUIBB COMPANY, ANTHONY INSOGNA, and JEROME ZELDIS | |
| Defendant | |

Status of Earlier Filed Case:

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Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

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Open

(If so, set forth procedural status and summarize any court rulings.)

Defendants' Motion to Dismiss is fully briefed.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

Plaintiffs in both actions bring an action against the same set of Defendants.

Plaintiffs bring action under the same federal antitrust law, including 15 U.S.C. § 2; 15 U.S.C. § 26. Plaintiffs in both actions allege that they paid higher prices for brand and generic Pomalyst than they would have paid but for the defendants' actions. Plaintiff here seek the same relief (damages under 15 U.S.C. § 2) as Plaintiffs in the earlier action.

Signature: /s/ Peter D. St. Phillip, Jr. Date: 9/13/2024

Firm: Lowey Dannenberg, P.C. 44 South Broadway,
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